

House Bill 328
Presented by Ken McDonald
February 5, 2013
House Fish, Wildlife and Parks Committee

Mr. Chairman and committee members, I am Ken McDonald, Wildlife Division Administrator with Montana Fish, Wildlife and Parks. I am here in support of House Bill 328.

The current language in 87-2-730(3)(c) MCA was crafted as part of the reauthorization of the bison hunt that was introduced by then Senator Gary Perry and passed in the 2003 Legislature. Bison hunting was discontinued in the early 90s as a result of the national controversy surrounding the bison hunt. When the hunt was reconsidered in 2003, FWP and the bill sponsor wanted to ensure the reauthorized bison hunt would avoid the criticism regarding the ethics of previous hunts. Our challenge was to create an ethical hunt recognizing that bison generally behave differently than other hunted big game.

Some of the critics of previous bison hunts characterized bison as docile animals that were easy to locate and easy to harvest. They claimed bison were like shooting an inanimate object (e.g., a couch or refrigerator). To address these concerns several provisions were included in the reauthorized bison hunt law that were intended to address ethical concerns and fair chase hunting, including 87-2-730(3)(c) MCA. That statutory language prohibits FWP from providing hunters information on the specific location of bison, other than the hunting district.

We are now in our eighth year of hunting bison since the hunt was reauthorized. We have learned that bison that migrate outside of Yellowstone National Park (YNP) actually move around the landscape on a regular basis, up to two to five miles daily, and on occasion up to twenty miles in a day. For example, bison that may be in the Duck Creek area, West of YNP, on Monday morning may be back in YNP later that day or in an entirely different area outside of YNP. Because of regular but unpredictable movements of bison, there is no ethical reason to withhold information regarding bison location from Montana licensed hunters. If FWP shares information on bison location when questioned, there is no guarantee or even likelihood that a hunter will find them in that same location when they arrive for a hunt.

In the same year the State of Montana reinitiated the bison hunt, Native Americans began bison hunts under the authority of their historical treaties. Four tribes (i.e., Confederated Salish and Kootenai Tribes, Nez Perce Tribe, Shoshone-Bannock Tribes and the Confederated Tribes of the Umatilla) have exercised their right to hunt bison outside of YNP on unclaimed lands. There is nothing in state statute that limits FWP from sharing specific bison location information with tribal treaty rights hunters. The result is that under current law FWP is providing information on the specific location of bison to treaty rights hunters (i.e., because it is not prohibited by law), but we are not providing that same information to state licensed hunters (i.e., because it is prohibited by law).

We believe 87-2-730(3)(c) should be struck from the law because experience has shown that it is no longer needed to ensure an ethical hunt, and to help foster equitable circumstances for state licensed hunters and tribal treaty right hunters. FWP recommends a Do Pass on HB 328.